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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Best Western International Incorporated,

No. CV-23-01166-PHX-JAT

10 Plaintiff,

ORDER

11 v.

12 OP Hotel LLC, et al.,

13 Defendants.
14

15 “Inquiring whether the court has jurisdiction is a federal judge’s first duty in every
16 case.” *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th
17 Cir. 2003). In this case, the jurisdictional allegations for all Defendants are made on
18 “information and belief.” Specifically, the complaint alleges: “[u]pon information and
19 belief, the members of OP Hotel are residents of Syosset, New York; Chantilly, Virginia;
20 Olathe, Kansas; and Lenexa, Kansas”, “[u]pon information and belief Nedunilam is a
21 resident of Syosset, New York; Olathe, Kansas; or Lenexa, Kansas”, and “Defendant Jane
22 Doe Nedunilam is Defendant Nedunilam’s spouse and upon information and belief, is also
23 a resident of Syosset, New York; Olathe, Kansas; or Lenexa, Kansas.” (Doc. 1 at 1-2).

24 While alleging jurisdiction on information and belief is permissible at the pleading
25 stage in this circuit, the Court may require that jurisdiction be established after allowing
26 discovery. *Carolina Cas. Ins. Co. v. Team Equip., Inc.*, 741 F.3d 1082, 1088 (9th Cir.
27 2014). Accordingly, the Court will require Plaintiff to take discovery and by the deadline
28 set forth below, file a jurisdictional supplement that proves: 1) the members of the limited

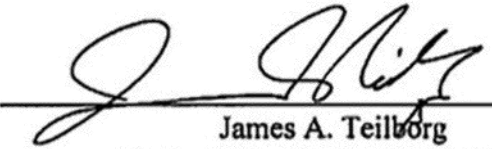
1 liability company on the date the complaint was filed; 2) the citizenship of each of the
2 members of the limited liability company on the date the complaint was filed; and 3) the
3 citizenship of each of the individual defendants on the date the complaint was filed. *See*
4 *Johnson v. Columbia Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9th Cir. 2006);
5 *NewGen, LLC v. Safe Cig, LLC*, 840 F.3d 606, 611 (9th Cir. 2016); *Grupo Dataflux v. Atlas*
6 *Global Group, L.P.*, 541 U.S. 567, 570-71 (2004).

7 Accordingly,

8 **IT IS ORDERED** that Plaintiff must file a jurisdictional supplement by December
9 22, 2023, establishing federal subject matter jurisdiction.

10 Dated this 17th day of July, 2023.

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James A. Teilborg
Senior United States District Judge